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KARL MORELL

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August 8, 2007

BY HAND DELIVERY

Victoria Rutson  
Chief  
Section of Environmental Analysis  
Surface Transportation Board  
1925 K Street, N.W. - Room 504  
Washington, DC 20423

ENTERED  
Office of Proceedings

AUG - 8 2007

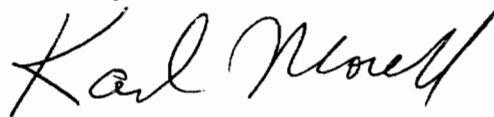
Part of  
Public Record

Re: STB Docket No. AB-570 (Sub-No. 2X), Palouse River & Coulee City  
Railroad, Inc. - Abandonment Exemption - In Latah County, Idaho

Dear Ms. Rutson:

On January 17, 2007, we submitted to your office copies of the Environmental Report and Historic Report in the above-captioned matter. Attached please find ten (10) copies of the additional response we received from the Corps of Engineers.

Sincerely,



Karl Morell

Enclosure



REPLY TO  
ATTENTION OF

**DEPARTMENT OF THE ARMY**  
**WALLA WALLA DISTRICT, CORPS OF ENGINEERS**  
**201 NORTH THIRD AVENUE**  
**WALLA WALLA, WASHINGTON 99362-1876**

August 1, 2007

Regulatory Division

SUBJECT: NWW-2007-75

Mr. Karl Morell  
Ball Janik LLP  
1455 F Street NW, Suite 225  
Washington, DC 20005

Dear Mr. Morell:

This is in response to your April 10, 2007 letter requesting our comments on the Revised Environmental Report and Revised Historic Report for Palouse River and Coulee City Railroad Abandonment, STB Docket No. AB-570 (Sub-No. 2X). Section 404 of the Clean Water Act (33 U.S.C. 1344) requires a Department of the Army permit be obtained for the discharge of dredged or fill material into waters of the United States. This includes most perennial and intermittent rivers and streams, natural and man-made lakes and ponds, and wetlands, as well as irrigation and drainage canals and ditches that are tributaries to other waters. Paradise Creek is a water regulated under Section 404. Activities regulated under Section 404 include excavation and mechanized landclearing activities which result in the discharge of dredged material and destroy or degrade waters of the United States.

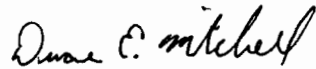
As indicated in our January 24, 2007 letter, your abandonment of the railroad will not involve a discharge of dredged or fill material below the ordinary high water mark of Paradise Creek or in wetlands. Therefore, a Department of the Army permit will not be required for your project.

We are unable to determine if the removal of the bridge and associated facility expansion by Gritman Medical Center will involve any work subject to our jurisdiction. We would suggest Gritman Medical Center have the project area inspected by a qualified wetland consultant to determine if the proposed project will involve work in such areas. If it does, they should then have these areas identified and delineated and submitted for our review and approval. We would also suggest they select someone who is knowledgeable in the methods we use for delineating jurisdictional wetlands. Enclosed for your information are our requirements for preparing wetland delineations and a list of consultants who may be able to assist you.

If the proposed project will involve the discharge of dredged or fill material in waters of the United States, including wetlands, a Department of the Army permit may be required prior to the start of construction. If so, you will need to complete and submit a permit application for

processing and evaluation. Please be advised that starting work before obtaining the required Department of the Army permit constitutes a violation of Section 404 and could result in legal action. If you have any questions concerning these regulatory matters, please contact me at 509-527-7156 (fax 509-527-7823).

Sincerely,

A handwritten signature in black ink, reading "Duane E. Mitchell". The signature is written in a cursive style with a large, stylized "D" and "M".

Duane E. Mitchell  
Regulatory Project Manager

Enclosures